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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,910	11/09/2001	Weiping Li	WCT-7303	2887

7590

09/27/2004

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EXAMINER

PARSONS, CHARLES E

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 09/27/2004

RECEIVED

OCT 22 2004

Please find below and/or attached an Office communication concerning this application.

Technology Center 2600

# Office Action Summary

Application No.

10/047,910

Applicant(s)

LI ET AL

Examiner

Charles E Parsons

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan PN 6522694 in view of Tahara 6560282.

Claim 1, 19: For use in conjunction with a video encoding/decoding technique wherein images are encoded into frame-representative bitstreams that include start codes and variable length codes and at least some of said bitstreams are truncated for streaming, ultimately, to a decoder for decoding; a method comprising the steps of:

selecting an end code having a value that is different than any start code and any variable length code of said bitstreams; and appending said end code to said bitstreams.

(The MPEG standard requires an end code for all video bitstream transmissions. See Ryan column 9 lines 3-4 showing his end code appended to his bitstream. Furthermore at the time the invention was made it was well known that the end code must be different from the start code or any other code in the sequence, otherwise the decoder would misinterpret video data as an end code, see Tahara column 42 lines 41-55 teaching that the sequence strings are compared to a predetermined end code, thus it must be unique. Therefore it would have been obvious for one of ordinary skill in the art to select a unique code to use as an end code motivated by the fact that the end code must be different from start codes or other variable length code so that false ends do not occur.)

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Claim 2, 20: The method as defined by claim 1, further comprising decoding the streamed encoded bit streams. (See Ryan figure 3 showing the decoder.)

Claim 3: The method as defined by claim 2, wherein said decoding of the bitstream includes interpreting said end code, or a portion thereof, as an invalid symbol that cannot be decoded. (It was well known in the art at the time the invention was made that end codes when encountered were not data to be decoded. End codes are simply an indicator that the end of the sequence to be decoded has been reached. Therefore it would have been obvious to interpret them as invalid symbols that cannot be decoded.) Official notice served.)

Claim 4. The method as defined by claim 3, wherein said decoding of the bitstream includes initiating a process of looking for the next start code after an invalid symbol has occurred. (See Ryan column 5 lines 35-43 implying that a start code is looked for after said end code is detected.)

Claims 5-8: The method as defined by claim s 1-4, wherein said end code is a string of zeros.

Claims 9-12: The method as defined by claim 1-4, wherein said start code is a string of zeros followed by a one, and said end code is another string of zeros longer than the string of zeros of said start code.

(As for claims 5-12, See Ryan column 8 lines 9-11 wherein he teaches that his start codes and end codes have the same general format. He also teaches in column 7 lines 52-58 that all start codes begin with a string of 23 zeros followed by a single one valued bit. Therefore it would have been obvious to select an end code the comprises a longer string of zero's than that of the start code to differentiate it from the start code and avoid misinterpreting it as anything other than an end code.)

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Claims 13-15. The method as defined by claim 2, wherein said decoding is performed without looking for a specific end code symbol. (Ryan makes no mention of looking for a specific end code while decoding. Furthermore as noted above end codes are not decoded they are simply indicators of the end of a stream.


Claims 16-18. The method as defined by claim 1, wherein said truncated bitstreams are MPEG-4 fine granularity scaling codes. (MPEG 4 streams contain start and end codes. It would have been obvious to append end codes to MPEG 4 streams as well as any other MPEG compliant stream. ) Official notice served.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CEP

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

<b>Notice of References Cited</b>	Application/Control No. 10/047,910		Applicant(s)/Patent Under Reexamination LI ET AL.	
	Examiner Charles E Parsons		Art Unit 2613	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,628,890	09-2003	Yamamoto et al.	386/68
	B	US-6,181,823	01-2001	Takahashi, Hiroyuki	382/232
	C	US-6,658,153	12-2003	Nakagawa et al.	382/233
	D	US-5,910,827	06-1999	Kwan et al.	375/240.27
	E	US-6,337,948	01-2002	Shinohara et al.	386/68
	F	US-6,754,271	06-2004	Gordon et al.	375/240.12
	G	US-6,580,869	06-2003	Ando et al.	386/68
	H	US-6,574,273	06-2003	Luna et al.	375/240
	I	US-6,560,282	05-2003	Tahara et al.	375/240.02
	J	US-5,581,360	12-1996	Matsumura et al.	386/46
	K	US-6,062,481	05-2000	Storch et al.	235/494
	L	US-6,522,694	02-2003	Ryan, Robert T.	375/240.25
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

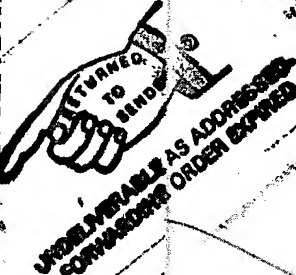
*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

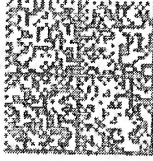
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